

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MICHAEL STREETER,

Plaintiff,

vs.

SAEILO, INC.,

Defendant.

**4:18CV3077**

**PROGRESSION ORDER  
(AMENDED)**

IT IS ORDERED that the Joint Motion to Extend ([Filing No. 40](#)) is granted, and the Progression Order ([Filing No. 37](#)) is amended as follows:

- 1) The deadlines for complete expert disclosures<sup>1</sup> for all experts expected to testify at trial for the defense, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is May 20, 2019.
- 2) The deposition deadline is July 8, 2019.
- 3) The deadline for filing motions to dismiss and motions for summary judgment is July 8, 2019.
- 4) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is July 8, 2019.
- 5) Motions in limine shall be filed seven days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 6) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.

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<sup>1</sup> While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.

- 7) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 19th day of April, 2019.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge